

REMARKS

The Official Action dated September 13, 2005 has been carefully considered. Consideration of the changes and remarks presented herein and reconsideration of the rejections are respectfully requested.

Claims 1-16 and 18-30 remain in the present application. Claim 17 has been canceled and claims 1, 15, 18, and 27-30 are herein amended for clarification. Support for the amendments can be found in the specification, claims and drawings as originally filed. In particular, support can be found in the specification at page 23, line 16 through page 24, line 9, as well as in FIGS. 3, 4, and 4A, for example. Accordingly, it is believed that these changes do not involve any introduction of new matter, and entry is believed to be in order and is respectfully requested. Additionally, Applicants acknowledge and appreciate the allowance of claim 26.

Claims 1-9 and 27-30 were rejected under 35 U.S.C. §102(b) under the argument they are anticipated by U.S. Patent No. 4,016,904 to Gordon. The Official Action contends that Gordon discloses a prior art (Fig. 3) pressure valve which vents both high and low pressure, and which discloses a housing which traps a filter between it and an adapter, which is screwed into a short tank vent pipe. The Official Action further contends that unscrewing the housing of Gordon provides access to the filter, and that it would have been obvious to service the filter by either cleaning it or replacing it as both processes are notoriously well known. According to the Official Action, servicing the filter would involve removing the housing to gain access to the filter.

This rejection is traversed and reconsideration is respectfully requested. In order to anticipate a claim, a reference must teach each and every element of the claim. MPEP § 2131. Gordon does not teach each and every element of independent claims 1, 27, 28, 29 and 30. For example, Gordon does not teach a removable filter including a portion trapped between a portion of a vent pipe and a portion of a housing such that at least part of the filter extends in a direction

toward an end of the vent pipe, as respectively recited in each of independent claims 1, 28, and 30. Additionally, Gordon does not teach, for example, a removable filter including a portion trapped between a portion of an adapter and a portion of a housing such that at least part of the filter extends in a direction toward an end of a vent pipe, as respectively recited in each of independent claims 27 and 29. Accordingly, it is respectfully requested that the rejection be reconsidered and withdrawn.

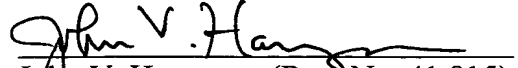
Claims 1-9 and 27-30 were rejected as being unpatentable under 35 U.S.C. § 103(a) over various combinations of Gordon and U.S. Patent No. 2,088,226 to Arvintz. To establish a prima facie case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine the teachings of the references. MPEP § 2143. Arvintz discloses a combined plug and valve device configured to relieve excess pressure or vacuum within the chamber through a cup-shaped strainer. In contrast, Gordon discloses a safety valve which is configured to prevent explosions through the use of a flame-retardant screen. The systems disclosed in the references have specific configurations for specific purposes, and Applicants found no teaching in Gordon that a cup-shaped strainer such as disclosed by Arvintz could be utilized for the flame-retardant purposes and in the configuration shown in Gordon. Furthermore, the Arvintz system is adapted to be fitted with a cup-shaped strainer and Applicants found no teaching or suggestion that a flame-retardant screen such as Gordon's would be appropriate. Applicants believe there to be no such teaching or suggestion to combine the divergent teachings of Gordon with Arvintz to reach the present invention as respectively defined by independent claims 1, 27, 28, 29 and 30. Accordingly, it is respectfully requested that the rejection be reconsidered and withdrawn.

Also, claims 10-13, 15-16 and 22-25 were rejected as being unpatentable under 35 U.S.C. § 103(a) over Arvintz or Gordon in view of Benkeser (DE 19633829). According to the Official Action, Benkeser discloses a valve having a head or seat made of a pliable closed cell plastic foam. Even assuming, arguendo, that there is a motivation to combine Benkeser with Gordon, such a combination would fail to teach each of the elements of independent claim 15. Likewise, even assuming, arguendo, that there is a motivation to combine Benkeser with Arvintz, such a combination would fail to teach each of the elements of independent claim 15. For example, neither of these combinations would teach or suggest a removable filter including a portion configured to be trapped between a portion of the housing and a portion of the vent pipe in use such that at least part of the filter extends in a direction toward an end of a vent pipe, as recited in independent claim 15. Accordingly, it is respectfully requested that the rejections of claims 15-16 and 22-25 be reconsidered and withdrawn. With respect to claims 10-13, these depend from claim 1 which recites a removable filter including a portion configured to be trapped between a portion of the housing and a portion of a vent pipe in use such that at least part of the filter extends in a direction toward an end of a vent pipe, and as noted with respect to claim 15 the cited combinations would still not disclose at least these elements. An obviousness rejection based upon a combination of references is not proper unless the references teach or suggest all claim elements. MPEP § 2143. Moreover, Applicants found no teaching or suggestion to combine the references to arrive at the present claims.

Accordingly, for at least the above reasons, it is respectfully submitted that each of independent claims 1, 15, 27, 28, 29, and 30 is patentable over Gordon, Arvintz, and Benkeser, either individually or in any arguable combination. The dependent claims are allowable as being dependent upon allowable base claims as well as for additional reasons not specifically recited herein. Accordingly, it is respectfully requested that the rejections be reconsidered and withdrawn. It is believed that the above represents a complete response to the rejections and that

the present application is in condition for allowance. Reconsideration and an early allowance are requested.

Respectfully submitted,


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